

OD-15

ORDER SHEET
IA NO.GA/1/2024
In
APOT/77/2024
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

SUBHAS KARMAKAR
VS
RELIANCE COMMERCIAL FINANCE

BEFORE:
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date: 5th July, 2024.

Appearance:
Mr. Priyankar Saha, Adv.
Ms. Srijani Mukherjee, Adv.
Mr. L.R. Mondal, Adv.
...for the petitioner

The Court: Learned counsel for the petitioner submits that the present challenge under Section 37 of the Arbitration and Conciliation Act, 1996 against an interlocutory order has become infructuous in view of an award having already been passed in the main arbitral proceeding.

Nevertheless, it is pointed out by learned counsel for the petitioner that the order impugned in the present challenge is palpably vitiated, in view of the same having been passed ex parte without prior service of notice to the present petitioner.

Be that as it may, since the present challenge has been rendered infructuous in view of the impugned order having merged in the final award, no useful purpose will be served in keeping the present matter pending.

Accordingly, APOT/77/2024 along with IA No.GA/1/2024 are disposed of as infructuous.

(SABYASACHI BHATTACHARYYA, J.)